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9 **Attorneys for Plaintiff**
10 **Innovated Sports Marketing, Inc.**

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 **Innovative Sports Marketing, Inc.,**

14 **CASE NO. CV 07-5122 MJJ**

15 **Plaintiff,**

16 **STIPULATION OF DISMISSAL OF**
17 **PLAINTIFF'S COMPLAINT**
18 **AGAINST DEFENDANT DAVID G.**
19 **RAMIREZ, AND KULEIKA**
20 **RAMIREZ, individually and d/b/a LA**
21 **CASITA RESTAURANT**

22 **vs.**

23 **David G. Ramirez, et al.**

24 **Defendants.**

25 **IT IS HEREBY STIPULATED** by and between Plaintiff INTEGRATED
26 **SPORTS MEDIA, INC.** and Defendants DAVID G. RAMIREZ and KULEIKA
27 **RAMIREZ** individually and d/b/a LA CASITA RESTAURANT that the above-
28 entitled action is hereby dismissed **without prejudice** against DAVID G. RAMIREZ,
and KULEIKA RAMIREZ individually and d/b/a LA CASITA RESTAURANT
subject to the Court's jurisdiction to enforce the settlement agreement reached between
the Parties.

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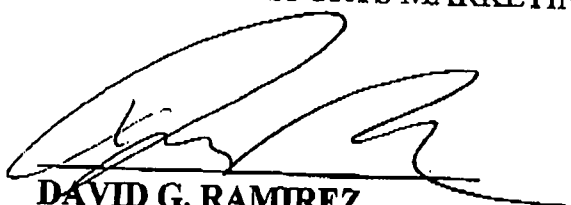
1 **IT IS FURTHER STIPULATED** that provided no Party referenced above has
2 filed a motion to reopen this action by December 31, 2008, this Court shall *not* have
3 jurisdiction to set aside the dismissal and the dismissal as to defendants DAVID G.
4 RAMIREZ, and KULEIKA RAMIREZ individually and d/b/a LA CASITA
5 RESTAURANT shall be deemed to be with prejudice.

6
7 This dismissal is made pursuant to Federal Rules of Civil Procedure 41(a)(1).
8 Each Party referenced-above shall bear its own attorneys' fees and costs.


9
10 Dated: December 14, 2007


11 **LAW OFFICES OF THOMAS P. RILEY, P.C.**
12 By Thomas P. Riley
13 Attorneys for Plaintiff
14 **INNOVATIVE SPORTS MARKETING, INC.**

15
16 Dated:


17 **DAVID G. RAMIREZ**
18 individually and d/b/a La Casita Restaurant
19 Defendant

20 Dated:


21 **KULEIKA RAMIREZ**
22 individually and d/b/a La Casita Restaurant
23 Defendant

24 **IT IS SO ORDERED:**

25
26
27 **The Honorable Martin J. Jenkins**
28 **United States District Court**
Northern District of California

Dated: _____

PROOF OF SERVICE (SERVICE BY FIRST CLASS MAIL)

I declare that:

I am employed in the County of Los Angeles, California. I am over the age of eighteen years and not a party to the within cause; my business address is First Library Square, 1114 Fremont Avenue, South Pasadena, CA 91030-3227 I am readily familiar with this law firm's practice for collection and processing of correspondence/documents for mail in the ordinary course of business.

On December 14, 2007, I served:

**STIPULATION OF DISMISSAL OF PLAINTIFF'S COMPLAINT
AGAINST DEFENDANT DAVID G. RAMIREZ, AND KULEIKA
RAMIREZ, individually and d/b/a LA CASITA RESTAURANT**

On all parties in said cause by enclosing a true copy thereof in a sealed envelope with postage prepaid and following ordinary business practices, said envelope was duly mailed and addressed to:

Kuleika Ramirez
La Casita Restaurant
320 A Street
Hayward, CA, 94541

I declare under the penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct and that this declaration was executed on December 14, 2007 at South Pasadena,, California.

Dated: December 14, 2007


THOMAS P. RILEY

PROOF OF SERVICE (SERVICE BY OVERNIGHT MAIL)

I declare that:

I am employed in the County of Los Angeles, California. I am over the age of eighteen years and not a party to the within cause; my business address is First Library Square, 1114 Fremont Avenue, South Pasadena, CA 91030-3227 I am readily familiar with this law firm's practice for collection and processing of correspondence/documents for mail in the ordinary course of business.

On December 14, 2007, I served:

**STIPULATION OF DISMISSAL OF PLAINTIFF'S COMPLAINT
AGAINST DEFENDANT DAVID G. RAMIREZ, AND KULEIKA
RAMIREZ, individually and d/b/a LA CASITA RESTAURANT**

On all parties in said cause by enclosing a true copy thereof in a sealed envelope with postage prepaid and following ordinary business practices, said envelope was duly mailed and addressed to:

David Ramirez
La Casita Restaurant
320 A Street
Hayward, CA, 94541

I declare under the penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct and that this declaration was executed on December 14, 2007 at South Pasadena,, California.

Dated: December 14, 2007


THOMAS P. RILEY